

Applicant: Wang Nang Wang
Application No.: 10/021,666

REMARKS

The Specification has been amended to update the reference to the co-pending application.

In the Office Action, claims 1-12 and 14-15 have been allowed, and claims 13 and 17-37 have been rejected. By way of this Reply, claims 13, 19, 25, and 35 are cancelled without prejudice, and claims 17, 23, and 33 are amended and believed to overcome the cited prior art.

35 U.S.C. § 112 Rejections

The Examiner rejected claims 13, 19, 25 and 35 under 35 U.S.C. §112, second paragraph, as being indefinite stating “there is no particular ‘shape’ of a tunnel”. While Applicant respectfully disagrees with the Examiner, claims 13, 19, 25 and 35 have been cancelled without prejudice in order to facilitate prosecution.

35 U.S.C. § 103 Rejections

Claims 17-37 are rejected under 35 U. S. C. 103(a) as being unpatentable over Pirila *et al.* (US 6,417,817 B1).

Mobile communication devices typically include an antenna for transmitting and/or receiving wireless communication signals. Because placing the antenna near the upper portion of the communication device might cause health concerns

(although not clinically proven), users prefer antennas to be as far away as possible from their heads. Therefore, the position of the antenna is of great concern to users.

The present invention provides a device having an antenna element formed on the portion as far away from the user as possible to reduce any health concerns. Independent claims 17, 23 and 33, as amended, recite a housing element with opposite lower and upper surfaces having the antenna formed on the lower surface.

Although Pirila discloses that the conductive planar element 407 has a certain first planar surface (Column 4, lines 45-47), it does not emphasize a second planar surface. Therefore, it is believed that the Examiner's opinion that the cited Reference discloses the planar element having opposite first and second surfaces is dependent on Fig. 4. However, as the Examiner acknowledges (Office Action at pg. 3, line 7), Pirila discloses that the antenna 410 is located on the upper side (top) of the planar element (*Pirila*, Fig. 4).

Contrary to Pirila, the antenna of the present invention is located at the lower side of the housing element (Page 6, lines 22-23, Page 8, lines 9-12). Accordingly, Applicant has amended claims 17, 23, and 33 of the present invention to replace "opposite first and second surfaces" with "opposite lower and upper surfaces" in order to emphasize that the position of the antenna of the present invention is placed in a different location than the location of the antenna in Pirila. Therefore, the location of the antenna of the present invention provides the

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advantage of being located as far away from the user as possible to reduce any health concerns. Accordingly, claims 17, 23, and 33 are patentable over the prior art.

Claim 32 discloses a housing having a front and back cover in which the antenna element is formed on the back cover. Claim 32 should be patentable over the prior art for the same reasons discussed above. Claim 32 also discloses the additional features of a mobile communication device having the elements of a display, a speaker, a plurality of keys, all of which limit usage range of the device of the present invention. These additional features are not disclosed in Pirila.

For the above reasons, Applicant respectfully submits that claims 17-37 are patentable over the prior art. Reconsideration and allowance of the claims is respectfully requested.

Respectfully submitted,

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